

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO. 02-60690-Civ-JORDAN/BROWN

SWEET PEA MARINE, LTD., a limited partnership, and **BOBBY G. STEVENSON**, a Texas citizen,

Plaintiffs,

v.

APJ MARINE, INC., a Florida corporation,

Defendant.

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U.S. DISTRICT COURT
FOR THE SOUTHERN DISTRICT
OF FLORIDA
MAY 29 PM 3:49
2002
D.C.

NOTICE OF PENDENCY OF OTHER ACTIONS

COME NOW Sweet Pea Marine Ltd. and Bobby G. Stevenson, by and through their undersigned counsel, and file this their *Notice of Pendency of Other Actions* in the above-styled cause, and state as follows:

1. There is presently pending before the U.S. District Court for the Southern District of Florida an action commenced by the Defendant herein, A.P.J. MARINE, INC., styled *A.P.J. Marine, Inc. v. M/Y SWEET PEA, et al*, Case No. 02-60707 CIV-ROETTGER, Magistrate Judge Seltzer.
2. The matters forming the basis of both this cause of action as well as the action pending before Judge Roettger arise out of a common nucleus of operative facts and involve essentially the same and/or related parties.

[Handwritten signature]

Case No. 02-60690-Civ-Jordan/Brown

3. Commensurate with the filing of this *Notice*, the undersigned counsel is filing a *Motion to Transfer* in the case presently pending before Judge Roettger requesting that the case be transferred to this Court, the lower numbered case.

4. The request is made solely for the purposes or promoting judicial efficiency, avoiding conflicting rulings/judgments and of preserving the resources of the judiciary as well as the resources of the parties.

5. Providing Judge Roettger agrees to transfer *A.P.J. Marine, Inc. v. M/Y SWEET PEA, et al*, Case No. 02-60707 CIV-ROETTGER to this Court and this Court agrees to accept same, the undersigned counsel will immediately file a motion to consolidate the two actions.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 24th day of May, 2002 to John L. Korthals, Esq., 1401 East Atlantic Boulevard, Pompano Beach, Fl 33060; Nathaniel G.W. Pieper, Esq. and David F. Pope, Esq., Lau, Lane, Pieper, Conley & McCreadie, P.A., Post Office Box 838, Tampa, Florida 33601-0838.



Allan R. Kelley

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